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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH ADMINISTRATION
BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE
DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE REGULATIONS MODIFIED

Introductory Note and Finding

Section 301.52 of Title 7, CFR, 1944 Supp., quarantines the States of Arizona, Louisiana, New Mexico, and Texas to prevent the spread of pink bollworm, and prohibits the movement therefrom of certain plants and products, including cottonseed, except under conditions prescribed by regulations supplemental thereto. It further provides, however, that whenever, in any year, the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth such finding in administrative instructions and specify the manner in which the restrictions shall be relaxed, whereupon the modification shall become effective.

The regulations (7 CFR, 1944 and 1945 Supps., 301.52-1 et seq. [Notice of Quarantine No. 52]) permit the interstate movement, from the area described therein as heavily infested with pink bollworms, of cottonseed only after it has been sterilized and only to contiguous regulated areas, for processing in authorized oil mills.

Experimental work has developed information which makes it possible to authorize two methods of treatment which may be applied within the heavily infested area as a condition of certification of cottonseed, which has been given the initial required heat treatment as a part of the continuous process of ginning, for movement to points outside the heavily infested area. The use of either of these methods, if carried out to the satisfaction of the inspector in properly designed equipment and under exacting controls, will provide safeguards adequate to permit movement to points outside the regulated area.

The methods that may be applied and the conditions that must be met to secure certification and equipment that may be used are prescribed in these administrative instructions.

The purpose of this action is thus to relieve commerce in cottonseed from a burdensome restriction. That commerce is now in full swing. In order to be of maximum benefit to the public, this relief from restriction should be made effective as soon as possible. Accordingly compliance with the rule-making procedure of Section 4 (a) of the Administrative Procedure Act (Act of Congress approved June 11, 1946, 60 Stat. 238) is impracticable and contrary to the public interest, and compliance with the publication requirement of Section 4 (c) of that Act is unnecessary.

§ 301.52-4d Administrative instructions authorizing additional methods of treating cottonseed originating in heavily infested area for movement to points outside such area. (a) Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.52, and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in § 301.52-4 (c) (2), notice is hereby given that cottonseed located within heavily infested areas, as defined in § 301.52-2, which has been treated as a part of the continuous process of ginning and subsequently protected from contamination and in addition has been given, within the heavily infested area, either one of the following additional treatments in approved equipment under the supervision of an inspector and in a manner approved by him, may be certified for movement interstate under the following conditions:

(1) Additional heat treatment.—A second heat treatment shall be given with steam as the heating medium in an apparatus separate and apart from the gin or gins which applied the initial heat treatment. The mass temperature of the seed must be raised to at least 155° F. during an exposure period of 2 minutes. The exposure period is the length of time required for the seed to travel from point of entrance into the heater to the point where the temperature reading of the seed is taken beyond the exit of the heater. The heating apparatus must be so constructed as to apply an adequate amount of live steam to the seed promptly upon entrance into the apparatus, and radiated heat for the full length of the heating unit. The apparatus shall be constructed so as to assure a constant and uniform flow of cottonseed through the machine when in operation and equipped with devices which will stir the seed so as to expose each seed to both the introduced steam and radiated heat during the entire exposure period. Cr,

(2) Fumigation with methyl bromide.—The seed shall be treated in an approved fumigation chamber with methyl bromide at a dosage of 3 pounds per 1000 cubic feet for an exposure period of 24 hours. The seed shall be sacked and stacked on a floor rack which will allow circulation beneath the seed. The bulk temperature of the seed at the beginning of the fumigation shall be 60° F. or above. A circulating fan shall be operated for a period of 30 minutes after the introduction of the fumigant.

An approved fumigation chamber shall be one lined with sheet metal, with all openings fitted tightly against a double row of molded sponge rubber gasketing. Chambers with more than 100 cubic feet capacity shall have a combination circulating and venting system. Chambers of less than 100 cubic feet shall have a circulating fan. All chambers must pass a pressure test whereby the time lapse is more than 22 seconds for an internal pressure of 50 mm. on a kerosene-filled open arm manometer to recede to 5 mm. pressure.

The Bureau of Entomology and Plant Quarantine has made tests which have resulted in satisfactory germination of cottonseed fumigated with methyl bromide. It has not, however, had an opportunity to test seed under all conditions or from all areas. Those who elect to use this method of treatment are, therefore, hereby notified that no liability shall be attached to the Department of Agriculture or any of its employees for damage to seed that might result from application of the treatment of cottonseed with methyl bromide.

These instructions shall become effective October 28, 1946.

Administrative instructions, 7 CFR, 1945 Supp., 301.52-4c [B.E.P.Q., 540], effective July 5, 1945, are revoked.

(Section 8, 37 Stat. 318, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR, 1945 Supp., 301.52)

Done at Washington, D. C., this 22nd day of October 1946.

AVERY S. HOYT
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and Plant Quarantine

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